

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

PATSY A. DOMBROWSKI,)	
)	Cause No. CV 06-39-BLG-RWA
Plaintiff,)	
)	FINDINGS AND RECOMMENDATION
vs.)	OF UNITED STATES MAGISTRATE
)	JUDGE
JO ANNE B. BARNHART, Commissioner)	
of Social Security Administration,)	
)	
Defendants.)	

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed this action claiming that the Social Security Administration failed to send her February 2006 benefits check. Defendant responded with a motion to dismiss, providing documentation that plaintiff received and cashed all of her benefits checks from December 2005 through June 2006, including her February 2006 check. Plaintiff has not responded to the motion, and it is accordingly submitted to the Court for summary ruling. L.R. 7.1(i).

The undersigned Magistrate Judge has reviewed the motion and, being fully aware of the premises thereof, finds it to be well taken. Accordingly, pursuant to 28 U.S.C. § 636(b)(1)(B), the undersigned **RECOMMENDS** that defendant's motion to dismiss be granted and that the complaint in this action be dismissed.

Under 28 U.S.C. § 636(b)(1) and Rule 72(b), Fed.R.Civ.P., the

parties may serve and file written objections within 10 days of receipt of this recommendation or objection is waived.

The Clerk of Court shall forthwith notify counsel for defendant and plaintiff at her last known address of this recommendation.

DONE and DATED this 6th day of September, 2006.

/s/ Richard W. Anderson
RICHARD W. ANDERSON
UNITED STATES MAGISTRATE JUDGE